



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

TRG

Docket No: 5361-99

19 July 200

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 11 July 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you enlisted in the Navy on 21 February 1990 at age 25. The record shows that you satisfactorily completed recruit training and disbursing clerk (DK) "A" school and subsequently reported to your first duty station.

In the performance evaluation for the period ending 31 January 1991 you were assigned no marks below 3.6 and the overall evaluation was 3.8. On 16 September 1991 you were advanced to DKSN. In the next performance evaluation for the period ending 1 November 1991, you were assigned adverse marks of 1.0 in rate knowledge, 2.8 reliability, 2.0 personal behavior and an overall evaluation of 2.0.

The record shows that during November 1991 you were seen by a psychiatrist on several occasions. On 18 November 1991, the commanding officer of the hospital reported to your command that you had been diagnosed with a personality disorder, avoidant type with passive aggressive features. The letter stated, in part, as

follows:

... this patient has a personality disorder of such severity that he is unsuitable for further military service. Although not imminently suicidal or homicidal, if retained on active duty and stressed by routine military demands he may act out endangering his life or the lives of others. Prognosis for a successful completion of his enlistment is very poor. It is strongly recommended that an expeditious administrative separation be carried out ....

On 17 December 1991 you were notified of separation processing. In connection with this processing you stated "I do not object to this separation." On 24 January 1992 the discharge authority approved the recommendation of your commanding officer that you be discharged due to the diagnosed personality disorder with a general discharge. Your final performance evaluation contains adverse marks of 1.0 in rate knowledge, 1.0 in reliability, and 2.8 in personal behavior. The general discharge was issued on 11 February 1992.

Character of service in cases such as yours is based, in part, on conduct and overall trait averages which are computed from marks assigned during periodic evaluations. Your conduct and overall trait averages were 2.87 and 2.27, respectively. The minimum average marks required at the time of your separation for a fully honorable characterization of service were 3.0 in conduct and 2.8 in overall traits.

In its review of your application the Board carefully reviewed all potentially mitigating factors, such as your contention that you were unfairly blamed for the inaccurate payrolls, which were caused by computer problems beyond your control. You contend that the stress of this situation led to your psychiatric problems. You desire a change in the characterization of your service so that you will be entitled to benefits under the Montgomery G. I. Bill. The Board found that these factors and contentions were not sufficient to warrant recharacterization of your discharge given your documented record of poor performance and failure to achieve the required average marks in conduct and overall traits.

Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board.

In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER  
Executive Director